

CHAPTER 6

Rules and Regulations of the Behavioral Health Division Mental Health and Substance Abuse Services

Professional Standards for Personnel and Service Quality

Section 1. Authority. This Chapter is promulgated by the Wyoming Department of Health pursuant to W.S. §§ 7-13-1601 through 7-13-1615; W.S. § 9-2-102; W.S. § 9-2-2701; W.S. §§ 35-1-611 through 627; and the Wyoming Administrative Procedure Act at W.S. §§ 16-3-101 through 115.

Section 2. Purpose and Applicability. These rules have been adopted to establish professional standards for personnel providing behavioral health services purchased by the Division and to prescribe standards for the quality of behavioral health services purchased in whole or in part by the Division.

Section 3. Personnel Standards.

(a) The executive director of a provider whose services are purchased in whole or in part by the Division shall be employed on a full-time basis by the provider's governing body or multi-county consortium and shall meet the qualification standards in either (i) or (ii) below.

(i) An executive director shall be a qualified clinical individual and have a minimum of two (2) years of relevant experience in behavioral health services management or administration; or

(ii) An executive director shall have an advanced degree in a health related or business field and a minimum of two (2) years of relevant experience in behavioral health services management or administration.

(b) Executive directors employed prior to the effective date of these rules shall be eligible to continue in their role in their current place of employment.

(c) Clinical services purchased in whole or in part by the Division shall be provided by qualified clinical staff.

(d) Direct service personnel shall receive training required to bill services to Medicaid.

(e) Peer specialists providing services purchased in whole or in part by the Division shall be credentialed by the Division and receive training required to bill peer specialist services to Medicaid.

Section 4. Service Quality. Providers whose services are purchased in whole or in part by the Division shall:

- (a) Adhere to national accreditation and certification requirements as specified in Chapter 2;
- (b) Utilize evidence based practices, promising practices, and practice-based evidence;
- (c) Guarantee each client's right to an individualized plan of appropriate services which provides for treatment in the least restrictive environment that may reasonably be expected to benefit the client;
- (d) Develop processes to manage wait lists and/or practice same day access;
- (e) Develop policies addressing continuing education of staff and cross-training as applicable;
- (f) Develop practices that result in high quality services as demonstrated in positive client outcomes that are cost effective as determined by the Division in collaboration with funded providers;
- (g) Provide integrated mental health and/or substance use services that are coordinated with primary care; and
- (h) Gather and use client feedback to improve the quality of care.

Section 5. Variances.

- (a) The Division may grant a variance of any personnel standard in this Chapter if the Division determines that such variance shall maintain or enhance the quality of the provider's operation and client services. A variance is a permanent change to a required standard.
- (b) A request for a variance may be made to the Division at any time and shall be made in writing.
- (c) The Division shall communicate to the provider in writing its decision on a variance request.

Section 6. Severability. If any portion of this Chapter is found to be invalid or unenforceable, the remainder shall continue in full force and effect.